

REMARKS

In the present amendment, Applicants cancel claims 1-18, 20-25, and 68 without prejudice to or disclaimer of the subject matter thereof. Claim 19 was canceled previously. Applicants presently intend to file a continuing application to pursue subject matter of the canceled claims. The Examiner withdrew claims 51-67 from consideration. Accordingly, after entry of the amendments, claims 26-50 are pending and under consideration.

Applicants acknowledge with appreciation the Examiner's statement that claims 26-50 are allowable. See Office Action at page 4, item 4.

I. Rejection of Claims 1-18, 20-25, and 68 Under 35 U.S.C. § 112, Second Paragraph

The Examiner maintained the rejection of claims 1-18, 20-25, and 68 under 35 U.S.C. § 112, second paragraph, as allegedly being vague and indefinite "because [of] the phrase 'directly sequencing.'" Office Action at page 2, item 2. Solely to expedite allowance of claims 26-50, and not acquiescing to the rejection, Applicants canceled claims 1-18, 20-25, and 68 without prejudice or disclaimer. Applicants intend to pursue those claims in a continuation application. Therefore, the rejection of claims 1-18, 20-25, and 68 under § 112, second paragraph, is moot.

II. Rejection of Claims 1-18, 20-25, and 68 Under 35 U.S.C. § 103(a)

The Examiner maintained the rejection of claims 1-18, 20-25, and 68 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Pritham et al. (J. Clinical Ligand Assay (1998) 4:404-412), in view of Johnston-Dow et al. (U.S. Patent No.

6,103,465). Office Action at page 2, item 3. Solely to expedite allowance of claims 26-50, and not acquiescing to the rejection, Applicants canceled claims 1-18, 20-25, and 68 without prejudice or disclaimer. Applicants intend to pursue those claims in a continuation application. Therefore, the rejection of claims 1-18, 20-25, and 68 under § 103(a) is moot.

CONCLUSION


Applicants respectfully request reconsideration of the application and the timely issuance of a Notice of Allowance. In the event that the Examiner does not find the claims allowable, Applicants request that the Examiner contact the undersigned at (650) 849-6749 to set up an interview.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: February 7, 2006

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